

01-14-04

AF 3629
PTO/SB/21 (08-03)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/028,888
		Filing Date	December 19, 2001
		First Named Inventor	Nowlin, Jeffrey G.
		Art Unit	3629
		Examiner Name	Richard S. Woo
Total Number of Pages in This Submission	1	Attorney Docket Number	020375-006500US

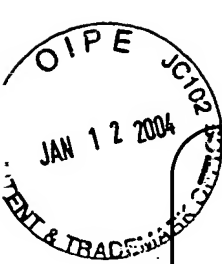
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Transmittal of Appellant's Brief under 37 CFR 1.192 2. Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		JAN 21 2004
Firm or Individual	Townsend and Townsend and Crew LLP Stephen F. Jewett	Reg. No. 27,565
Signature		
Date	January 12, 2004	

GROUP 3600

CERTIFICATE OF MAILING		
Express Mail Label: EV 325767905 US		
I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date January 12, 2004 and is addressed to:		
Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450		
Typed or printed name	Bonnie Rickles	
Signature		Date January 12, 2004

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 330

Complete if Known

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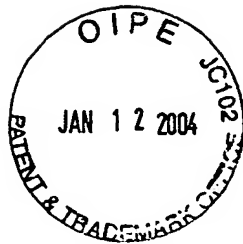
METHOD OF PAYMENT (check all that apply)				
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
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<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				
FEE CALCULATION				
1. BASIC FILING FEE				
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1001	770	Utility filing fee
		1002	340	Design filing fee
		1003	530	Plant filing fee
		1004	770	Reissue filing fee
		1005	160	Provisional filing fee
SUBTOTAL (1)				(\$)
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE				
Total Claims	Extra Claims	Fee from below	Fee Paid	
Independent Claims	**			
Multiple Dependent	**			
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	Claims in excess of 20
		1201	86	Independent claims in excess of 3
		1203	290	Multiple dependent claim, if not paid
		1204	86	** Reissue independent claims over original patent
		1205	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$)
** or number previously paid, if greater; For Reissues, see above				

FEE CALCULATION (continued)				
3. ADDITIONAL FEES				
Large	Entity	Small	Entity	Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Petitions related to provisional applications
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)
				(\$)330

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Stephen F. Jewett	Registration No. (Attorney/Agent)	27,565	Telephone	303-571-4000
Signature				Date	January 12, 2004

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Date of Deposit January 12, 2004



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Attorney Docket No.: 020375-006500US

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Alexandria, VA 22313-1450

TOWNSEND and TOWNSEND and CREW LLP

By:

Bonnie Reckles

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS

In re application of:

Jeffrey G. Nowlin et al.

Application No.: 10/028,888

Filed: December 19, 2001

For: WEIGHT MEASURING SYSTEMS
AND METHODS

Examiner: Richard S. Woo

Art Unit: 3629

TRANSMITTAL OF APPELLANT'S
BRIEF UNDER 37 CFR 1.192

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Appellants hereby transmit three (3) copies of the brief required under 37 CFR 1.192 in connection with the appeal in the above-captioned application. The NOTICE OF APPEAL UNDER 37 CFR 1.191 was filed on November 12, 2003 and received by the Patent and Trademark Office on November 12, 2003.

Appellants hereby request that the fee for filing a brief in support of an appeal, \$330.00, or such greater or lesser amount as the Commissioner may deem is required by 37 CFR 1.17(c), be charged to Deposit Account No. 20-1430.

☒ The brief is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.

☐ Appellants hereby request an oral hearing pursuant to 37 CFR 1.194 and hereby request that the fee for filing a request for oral hearing, \$ _____, or such greater or lesser amount as the Commissioner may deem is required by 37 CFR 1.17(d), be charged to Deposit Account No. 20-1430.

☐ Appellants reserve the right to request an oral hearing pursuant to 37 CFR 1.194 following receipt of the Examiner's Answer.

☐ A Petition to Extend Time is enclosed.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

Date: 1/12/04

By



Stephen F. Jewett

Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: (303) 571-4321

Enclosures: Appellant's Brief (in triplicate)